

Approved 2/11/15

**RE-ORGANIZATION MEETING OF THE
TENAFLY PLANNING BOARD
January 14, 2015**

Chairperson Wilmit called the meeting to order at 8:00 p.m.

The announcement was made regarding compliance with the Sunshine Law.

OATHS OF OFFICE

Mayor Peter Rustin administered the Oath of Office to the following Planning Board members into their respective positions:

MaryBeth Wilmit, Member, Planning Board
Mark Zinna, Council Member (Class III member)
Jon Warms, Member, Planning Board (Class II member)
Eugene Kwon, 2nd Alternate Member, Planning Board

APPROVAL OF MINUTES

A motion was made by Mr. Warms and seconded by Mr. Kagy to approve the minutes of the Regular Public Meeting of December 10, 2014, with a slight correction, and the Regular Public Meeting of December 17, 2014. A voice vote carried the motion. All voted in favor; none were opposed.

ROLL CALL

The secretary was asked to call the roll:

Voting members present:	Mayor Peter Rustin	Councilman Mark Zinna
	Mary Beth Wilmit	Gus Allen
	Kevin Tremble	Ted Kagy
	Jon Warms	Eugene Kwon

Voting members absent:	Marc Harrison	Eugene Marcantonio
	Sheryl Gaines	

Others present:	Jeffrey Zenn, Esq.
	David Hals, P.E.

ELECTION OF OFFICERS FOR 2015

Nominations for Chairman:

A motion was made by Mr. Allen and seconded by Mr. Kagy to nominate Mrs. Mary Beth Wilmit as Chairperson of the Planning Board. The nominations were closed. A voice vote

Approved 2/11/15

Tenaflly Planning Board, Re-organization Meeting
January 14, 2015
Page 2

carried the motion unanimously. Mrs. Wilmit is the Chairperson of the 2015 Tenaflly Planning Board.

Nominations for Vice Chairman:

A motion was made by Mayor Rustin and seconded by Councilman Zinna to nominate Mr. Gus Allen as Vice Chairman of the Planning Board. Mr. Allen commented that he would step aside if someone else wished to be the Vice Chairman. The nominations were closed. A voice vote carried unanimously. Mr. Allen is the Vice Chairman of the 2015 Tenaflly Planning Board.

The board will go into Closed Session following the Public Hearing to discuss personnel.

PUBLIC HEARING

PB#1-14-06 - Site Plan with Variance

Applicant: Tenaflly Railroad, LLC
Block 1003, Lot 3
21 Grove Street

Mr. Tremble and Councilman Mark Zinna noted for the record that each had listened to the tape recordings of the previous meeting on October 22, 2014.

Mr. Zenn noted that an email had been received by Mrs. Nicolosi from the Barbera family asking that the Planning Board put off the decision on this application until the next meeting on January 28, 2015. This email was forwarded only to Mr. Zenn and Mrs. Wilmit. The board decided to proceed with the application and address the email at the end of the hearing.

Mr. Urdang briefed the board again on this application. Revised plans had been submitted to the board. He called upon Mr. Michael Hubschman, who remained under oath from the last hearing, to continue with his testimony. Mr. David Hals, Planning Board Engineer, was also sworn in at this time.

Mr. Hubschman entered the following Exhibit into the record and reviewed same with the board:

- Exhibit A-4, 1/14/15, Colorized version of Site Plan, Proposed 2nd Floor Addition, No. 21 Grove Street, last revised 12/29/14.

Mr. Hubschman also reviewed Mr. Hals' review letter of January 13, 2015, noting the revised site plan reflects a reduced number of parking spaces. This reduction of spaces has eliminated vehicle conflicts between the parking spaces and provides easy access to the dumpster. The angle of the southerly parking spaces has been changed to 45 degrees; and the driveway dimensions are in conformance with the LDR. There are curbed landscaping areas provided on both Chestnut and Grove Streets. The stair tower has been relocated to the Chestnut Street side of the building.

Approved 2/11/15

Tenaflly Planning Board, Re-organization Meeting
January 14, 2015
Page 3

The improvements proposed include the following:

- Second floor addition to the existing building for two, 2-bedroom residential units
- New addition to northerly side of the building for the stair tower to the second floor
- Division of the first floor commercial space into two (2) units
- Relocation of existing fence on southerly side of the property and extending the parking spaces to the property line

Mr. Hubschman addressed all the variances and waivers required for the application. Mr. Urdang noted that the present tenant, Dumpling King, is on a month-to month tenancy. The applicant is seeking approval to divide the first floor into two (2) separate spaces. It is unknown what businesses may take over each space.

The meeting was opened to the public for questions of Mr. Hubschman. There being no one from the public with questions for him, this portion of the meeting was closed to the public.

Board members inquired as to how garbage collection would be handled. The truck would back in to the property from Chestnut Street to access the dumpster. It was noted that the plans indicate the wheel stops are straight along the property line and should be angled in the same direction as the parking space. All overhead utilities are to be moved underground.

Three (3) trees are to be added to the site. Board members would like to see more landscaping for the project. It was requested that there be a landscaped area near the driveway entrance off Grove Street. Board members would also like to see landscaping on the Chestnut Street side. The applicant agreed to all suggestions for landscaping and will work with the Board Engineer for the placements and type of landscaping for these areas.

There was much board concern regarding the lighting spillage onto the adjacent property. The lights on the side of the building will need to be adjusted downward so there is no spillage into the windows of the adjacent neighboring property. A revised lighting plan will be submitted to the board engineer.

Mr. Hals noted that the plans needs to be adjusted to reflect the correct size of the handicapped parking space as 11' x 5'. Revised plans will be submitted with this change.

There was a brief discussion about signage and whether there should be "For Tenants Only" signs for the residential units. The board decided this was not necessary or required.

Mr. Urdang called upon Stephanie Pantale, architect for the project, who is still under oath from the previous hearing. She reviewed her plans, last revised 12/27/14, with the board. There was some concern regarding the south side of the building. The wall has no breaks or windows.

Vehicles backing out of the spaces may hit the building. There was a suggestion that perhaps some other material could be used. Ms. Pantale indicated that the building is concrete block on the first floor and is a strong material. She suggested adding some decorative ornaments and a darker siding to enhance the look on that side of the building. The darker siding may address some of the concerns with the lighting. The board would like the applicant to make that change. The electric meter will be moved to the back of the building.

She explained that the new stairwell extends 4 ½' out from the existing building and is 10 ½ feet from the curb line. The stairwell is uninhabitable and can possibly be used for utilities.

The meeting was opened to the public for questions of Ms. Pantale. There being no one from the public with questions for her, this portion of the meeting was closed to the public.

There were no further comments from board members or Mr. Hals.

The meeting was opened to the public for comments on the application. Mr. Andrew Dell'Olio addressed the board. He had forwarded the Barbera email to Mrs. Nicolosi late yesterday afternoon. He cited the many adjournments for the application and urged the board to hold their vote until the Barberas were able to be heard on the matter. There being no one else from the public with comments, this portion of the meeting was closed to the public.

Mr. Urdang gave a brief summation of the application and urged the board members to grant approval to the application as submitted.

Board members discussed the merits of the application. This new structure will be a positive for the area. It is a good mixed use facility and a vast improvement to the site. Some board members were extremely concerned regarding the parking but realize that this will always be an issue in almost every application which comes before the Planning Board. It was suggested that the number of bedrooms in each apartment be reduced to one (1) instead of two (2). Mr. Urdang conferred with his client. They object to changing the number of bedrooms in each of the units on the second floor. It was noted that this project is consistent with the Borough's long-term downtown improvement goals.

Mr. Zenn reviewed the contents of the email with the board. The Barberas would not be able to be in attendance at tonight's hearing and would like to speak on the matter. They will be available on January 28, 2015 and would like the board to hold its vote until then. There was much discussion by the board members.

Mr. Urdang objected to postponing the date noting that this meeting was noticed well in advance and the email only was received yesterday afternoon. There was ample opportunity to put it a request for a change. If the vote is postponed, it puts an unreasonable burden on the applicant because all experts will need to come back so they can be questioned by the Barberas. Further,

Approved 2/11/15

Tenaflly Planning Board, Re-organization Meeting
January 14, 2015
Page 5

Mr. Urdang indicated he would want to re-address the board after Mr. Barbera is heard.

Board members agreed there would be additional costs to the applicant to postpone the vote until January 28 as all professionals would need to be in attendance. They also understood that the public should be heard on matters before the board. It was noted that Mr. Barbera was unable to attend the October meeting.

There was concern that a precedent would be set if the board agreed to change the vote date because some members of the public were unable to attend. Some board members commented that they are prepared to vote this evening. It was noted that no other Tenaflly residents came to tonight's meeting or the one in October to voice concerns about the application.

A motion was made and seconded to hold voting on this application until January 28th. Mr. Zenn explained that a YES vote means the Planning Board will deliberate on the application at the January 28th meeting. A NO vote means that the board will vote this evening on the application. The roll was called. Voting YES: Mr. Kagy and Mayor Rustin. Voting NO: Mrs. Wilmit, Mr. Allen, Mr. Tremble, Mr. Warms, Mr. Kwon and Councilman Zinna.

A motion was made by Councilman Zinna and seconded by Mr. Allen to approve the application of Tenaflly Railroad, LLC as submitted with all conditions/stipulations discussed this evening to be outlined in the memorializing resolution. The roll was called and the motion carried. Voting YES: Mrs. Wilmit, Mr. Tremble, Mr. Kagy, Mr. Kwon and Councilman Zinna. Voting NO: Mr. Allen, Mr. Warms and Mayor Rustin.

The board took a five (5) minutes recess. The Board returned to the Public Meeting.

A motion was made by Mr. Allen and seconded by Councilman Zinna to go into Closed Session to discuss personnel.

The board returned to the Public Meeting.

APPOINTMENTS: Planning Board Secretary, Board Attorney, Board Planner, Board Engineer, Special COAH Counsel

Planning Board Secretary:

A motion was made by Mr. Tremble and seconded by Mr. Warms to appoint Mrs. Valerie Nicolosi as Secretary to the Planning Board for the calendar year 2015. The nominations were closed. A voice vote carried the motion unanimously. Mrs. Valerie Nicolosi is the Secretary to the Planning Board for 2015.

Planning Board Attorney:

A motion was made by Mr. Allen and seconded by Mr. Warms to approve the resolution to appoint and contract for Sokol, Behot & Fiorenzo, specifically Jeffrey Zenn, Esq., as Attorney to

Approved 2/11/15

Tenaflly Planning Board, Re-organization Meeting
January 14, 2015
Page 6

the Planning Board. A voice vote carried the motion unanimously. Jeffrey Zenn is the attorney for the Tenaflly Planning Board for the calendar year 2015.

Planning Board Engineer:

A motion was made by Mr. Tremble and seconded by Councilman Zinna to approve the resolution to appoint and contract for Schwanewede/Hals Engineering, specifically David Hals, P.E., as Engineer to the Planning Board. A voice vote carried the motion unanimously. David Hals is the engineer for the Tenaflly Planning Board for the calendar year 2015.

Planner:

A motion was made by Mr. Kagy and seconded by Mr. Warms to approve the resolution to appoint and contract for Burgis Associates, Inc., specifically Joseph Burgis, as Planner to the Planning Board. A voice vote carried the motion unanimously. Joseph Burgis is the planner for the Tenaflly Planning Board for the calendar year 2015.

Special COAH Attorney:

A motion was made by Mr. Warms and seconded by Mr. Allen to approve the resolution to appoint and contract for The Buzak Law Group, specifically Edward Buzak, Esq., as Special COAH Attorney to the Planning Board. A voice vote carried the motion unanimously. Edward Buzak is the special COAH attorney for the Tenaflly Planning Board for the calendar year 2015.

2015 COMMITTEES

Discussion regarding the 2015 Planning Board Committees will be on the next agenda.

A motion was made by Mr. Warms and seconded by Mr. Kagy to adjourn the meeting at 10:40 p.m. A voice vote carried the motion. All voted in favor; none were opposed.

Respectfully submitted,

Valerie B. Nicolosi
Planning Board Secretary